

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : Richard Earl McNutt et al.
Application No. : 09/330,963 Confirmation No. : 1075
Filed : June 11, 1999
For : METHODS AND SYSTEMS FOR INTERACTIVE
WAGERING USING MULTIPLE TYPES OF USER
INTERFACES
Art Unit : 3714
Examiner : Tramar Yong Harper
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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDED APPEAL BRIEF - REPLACEMENT SECTION

Sir:

In response to the October 4, 2007 Notification of Non-Compliant Appeal Brief, appellants are submitting this Amended Appeal Brief pursuant to 37 C.F.R. § 41.37(d). Pursuant to MPEP § 1205.03, this Amended Appeal Brief only includes the defective "Summary of Claimed Subject Matter" section and is not an entire new brief.

Appellants believe that no fee is required connection with this Amended Appeal Brief. However, the Director is hereby authorized to charge any fees that may be due, or credit any overpayment of the same, to Deposit Account No. 06-1075 (Order No. 003043-0006).

REPLACEMENT SECTION

(v) Summary of Claimed Subject Matter

Appellants' independent claims 1, 17, 33, and 46 are directed towards systems and a method for interactive wagering, and computer-readable medium encoded with instructions for providing information in an interactive wagering system. Data relating to a plurality of wagering accounts is stored in a database. A plurality of types of user interface systems receive wager information from a user and provide data relating to a single wagering account to the user. One of the user interface systems is a television wagering control system that receives wager information from a television wagering terminal. At least another of the user interface systems is either an interactive voice response control system or a computer wagering control system.

Support in the specification for claims 1, 17, 33, and 46 is found at least in the locations indicated in the following tables. The table for claim 46 also identifies the means-plus-function clauses in that claim as well as the corresponding structures, materials, or acts described in the specification.

Claim 1	The Specification
1. A system for interactive wagering, comprising:	See, e.g., page 3, lines 11-14; and FIGS. 1-3A.
a database that stores data relating to a plurality of wagering accounts; and	See, e.g., page 3, lines 25-29; page 9, lines 26-30; page 10, lines 16-24; page 12, lines 27-30; page 16, lines 10-26; tote companies 114 (FIG. 1); racing data providers 116 (FIG. 1); database 204

Claim 1	The Specification
<p>a plurality of types of user interface systems that are configured to: receive data relating to a single wagering account stored in the database; receive wager information from a user; and provide the data relating to a single wagering account to the user,</p>	<p>(FIG. 2); and subscriber database 302 (FIG. 3). <i>See, e.g.,</i> page 5, line 4 - page 6, line 4; page 10, lines 16-24; page 19, lines 21-26; wagering data hub 102 (FIG. 1); communication link 150 (FIG. 1); data distribution system 202 (FIG. 2); set-top server (non-telco) 206 (FIG. 2); set-top server (telco) 206 (FIG. 2); IVR server 210 (FIG. 2); PC server 212 (FIG. 2); modem bank 214 (FIG. 2); set-top boxes 104 (FIG. 1); user telephones 106 (FIG. 1); and user computers 108 (FIG. 1); telephone line 144 (FIG. 1); computer network 146 (FIG. 1); communications links 128, 130, and 136 (FIG. 1); database 204 (FIG. 2); subscriber database 302 (FIG. 3); and SMS 110 (FIG. 3).</p>
<p>wherein one of the plurality of types of user interface systems is a television wagering control system that provides the data relating to the single wagering account to a television distribution system and that receives the wager information from a television wagering terminal, and</p>	<p><i>See, e.g.,</i> page 3, line 24 - page 4, line 2; page 18, line 20 - page 19, line 20; wagering data hub 102 (FIG. 1) TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).</p>
<p>wherein at least another of the plurality of types of user interface systems is selected from the group consisting of:</p>	<p><i>See, e.g.,</i> page 5, lines 4-25; page 6, lines 5-12; wagering data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user</p>

Claim 1	The Specification
an interactive voice response control system that receives a telephone call from an external source, that provides, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account, and that receives wager information from the external source through the telephone call; and	telephones 106 (FIG. 1).
a computer wagering control system that provides the data relating to the single wagering account to an external computer and that receives wager information from the external computer through the Internet.	See, e.g., page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).

Claim 17	The Specification
17. A method for interactive wagering, comprising:	See, e.g., page 3, lines 11-14; and FIGS. 1-3A.
storing data relating to a plurality of wagering accounts in a database; and	See, e.g., page 3, lines 25-29; page 9, lines 26-30; page 10, lines 16-24; page 12, lines 27-30; page 16, lines 10-26; tote companies 114 (FIG. 1); racing data providers 116 (FIG. 1); database 204 (FIG. 2); and subscriber database 302 (FIG. 3).
using a plurality of types of user interface systems to receive data relating to a single wagering	See, e.g., page 5, line 4 - page 6, line 4; page 10, lines 16-24; page 19, lines 21-26; wagering data

Claim 17	The Specification
account stored in the database, receive wager information from a user and provide data relating to a single wagering account to the user,	hub 102 (FIG. 1); communication link 150 (FIG. 1); data distribution system 202 (FIG. 2); set-top server (non-telco) 206 (FIG. 2); set-top server (telco) 206 (FIG. 2); IVR server 210 (FIG. 2); PC server 212 (FIG. 2); modem bank 214 (FIG. 2); set-top boxes 104 (FIG. 1); user telephones 106 (FIG. 1); and user computers 108 (FIG. 1); telephone line 144 (FIG. 1); computer network 146 (FIG. 1); communications links 128, 130, and 136 (FIG. 1); database 204 (FIG. 2); subscriber database 302 (FIG. 3); and SMS 110 (FIG. 3).
wherein one of the plurality of types of user interface systems is a television wagering control system,	See, e.g., page 3, line 24 - page 4, line 21; page 18, line 20 - page 19, line 20; wagering data hub 102 (FIG. 1) TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
wherein at least another of the plurality of types of user interface systems is selected from the group consisting of an interactive voice response control system	See, e.g., page 5, lines 4-25; page 6, lines 5-12; wagering data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user telephones 106 (FIG. 1).
and a computer wagering control system, and wherein:	See, e.g., page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
using the interactive voice response control system comprises:	See, e.g., page 2, lines 2-10; page 3, line 24 - page 4, line 21; wagering

Claim 17	The Specification
	data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user telephones 106 (FIG. 1).
receiving a telephone call from an external source; providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account; and receiving the wager information from the external source through the telephone call;	See, e.g., page 4, lines 1-8; page 6, lines 5-12; page 12, lines 3-10; wagering data hub 102 (FIG. 1); user telephones 106 (FIG. 1); telephone line 144 (FIG. 1); set-top server (telco) 208 (FIG. 2); and IVR server 210 (FIG. 2).
using the computer wagering control system comprises:	See, e.g., page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
providing the data relating to the single wagering account to an external computer; and	See, e.g., page 12, lines 11-18; page 13, line 28 - page 14, line 13; page 15, lines 3-11; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
receiving the wager information from the external computer through the Internet; and	See, e.g., page 3, line 24 - page 4, line 21; page 12, lines 11-18; wagering data hub 102 (FIG. 1); and user computers 108 (FIG. 1).
using the television wagering control system comprises:	See, e.g., page 3, line 24 - page 4, line 21; page 18, line 20 - page 19, line 20; wagering data hub 102 (FIG. 1) TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
providing the data relating to the single	See, e.g., page 3, line 24 - page 4, line 21; page

Claim 17	The Specification
wagering account to a television distribution system; and	18, line 20 - page 19, line 20; wagering data hub 102 (FIG. 1) TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
receiving the wagering information from a television wagering terminal.	See, e.g., page 11, line 10 - page 12, line 2; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).

Claim 33	The Specification
33. A computer-readable medium encoded with machine-readable instructions for providing information in an interactive wagering system, the machine-readable instructions comprising:	See, e.g., page 3, lines 11-14; and FIGS. 1-3A.
storing data relating to a plurality of wagering accounts in a database; and	See, e.g., page 3, lines 25-29; page 9, lines 26-30; page 10, lines 16-24; page 12, lines 27-30; page 16, lines 10-26; tote companies 114 (FIG. 1); racing data providers 116 (FIG. 1); database 204 (FIG. 2); and subscriber database 302 (FIG. 3).
using a plurality of types of user interface systems to receive data relating to a single wagering account stored in the database, receive wager information from a user and provide data relating to a single wagering account to the user,	See, e.g., page 5, line 4 - page 6, line 4; page 10, lines 16-24; page 19, lines 21-26; wagering data hub 102 (FIG. 1); communication link 150 (FIG. 1); data distribution system 202 (FIG. 2); set-top server (non-telco) 206 (FIG. 2);

Claim 33	The Specification
	set-top server (telco) 206 (FIG. 2); IVR server 210 (FIG. 2); PC server 212 (FIG. 2); modem bank 214 (FIG. 2); set-top boxes 104 (FIG. 1); user telephones 106 (FIG. 1); and user computers 108 (FIG. 1); telephone line 144 (FIG. 1); computer network 146 (FIG. 1); communications links 128, 130, and 136 (FIG. 1); database 204 (FIG. 2); subscriber database 302 (FIG. 3); and SMS 110 (FIG. 3).
wherein one of the plurality of types of user interface systems is a television wagering control system,	See, e.g., page 3, line 24 - page 4, line 21; page 18, line 20 - page 19, line 20; wagering data hub 102 (FIG. 1) TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
wherein at least another of the plurality of types of user interface systems is selected from the group consisting of an interactive voice response control system	See, e.g., page 5, lines 4-25; page 6, lines 5-12; wagering data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user telephones 106 (FIG. 1).
and a computer wagering control system, and wherein:	See, e.g., page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
using the interactive voice response control system comprises:	See, e.g., page 2, lines 2-10; page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user telephones 106 (FIG. 1).
receiving a telephone call from an external source;	See, e.g., page 4, lines 1-8; page 6, lines 5-12;

Claim 33	The Specification
	page 12, lines 3-10; wagering data hub 102 (FIG. 1); user telephones 106 (FIG. 1); telephone line 144 (FIG. 1); set-top server (telco) 208 (FIG. 2); and IVR server 210 (FIG. 2).
providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account; and	See, e.g., page 14, lines 24 - page 15, line 2; page 12, lines 3-10; wagering data hub 102 (FIG. 1); user telephones 106 (FIG. 1); telephone line 144 (FIG. 1); set-top server (telco) 208 (FIG. 2); and IVR server 210 (FIG. 2).
receiving the wager information from the external source through the telephone call;	See, e.g., page 14, line 24 - page 15, line 2; page 12, lines 3-10; wagering data hub 102 (FIG. 1); and telephone line 144 (FIG. 1).
using the computer wagering control system comprises:	See, e.g., page 3, line 24 - page 4, line 21; page 12, lines 11-18; wagering data hub 102 (FIG. 1); and user computers 108 (FIG. 1).
providing the data relating to the single wagering account to an external computer; and	See, e.g., page 12, lines 11-18; page 13, line 28 - page 14, line 13; page 15, lines 3-11; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
receiving the wager information from the external computer through the Internet; and	See, e.g., page 12, lines 11-18; page 15, lines 3-11; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); user computers 108 (FIG. 1); modem bank 214 (FIG. 2); and communication link 146 (FIG. 1).
using the television	See, e.g., page 11, line

Claim 33	The Specification
wagering control system comprises:	10 - page 12, line 2; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
providing the data relating to the single wagering account to a television distribution system; and	See, e.g., page 11, line 10 - page 12, line 2; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and communication links 132 and 134 (FIG. 1).
receiving the wagering information from a television wagering terminal.	See, e.g., page 11, line 10 - page 12, line 2; page 18, lines 1-19; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and communication links 136, 138, and 142 (FIG. 1).

Claim 46	The Specification
46. A system for interactive wagering, the apparatus comprising:	See, e.g., page 3, lines 11-14; and FIGS. 1-3A.
means for storing data relating to a plurality of wagering accounts in a database; and	See, e.g., page 3, lines 25-29; page 9, lines 26-30; page 10, lines 16-24; page 12, lines 27-30; page 16, lines 10-26; tote companies 114 (FIG. 1); racing data providers 116 (FIG. 1); database 204 (FIG. 2); and subscriber database 302 (FIG. 3).
means for using a plurality of types of user interface systems to receive data relating to a single wagering account stored in the database, receive wager information from a user and provide data relating to a single	See, e.g., page 5, line 4 - page 6, line 4; page 10, lines 16-24; page 19, lines 21-26; wagering data hub 102 (FIG. 1); communication link 150 (FIG. 1); data distribution system 202 (FIG. 2); set-top server

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wagering account to the user,	(non-telco) 206 (FIG. 2); set-top server (telco) 206 (FIG. 2); IVR server 210 (FIG. 2); PC server 212 (FIG. 2); modem bank 214 (FIG. 2); set-top boxes 104 (FIG. 1); user telephones 106 (FIG. 1); and user computers 108 (FIG. 1); telephone line 144 (FIG. 1); computer network 146 (FIG. 1); communications links 128, 130, and 136 (FIG. 1); database 204 (FIG. 2); subscriber database 302 (FIG. 3); and SMS 110 (FIG. 3).
wherein one of the plurality of types of user interface systems is a television wagering control system,	See, e.g., page 3, line 24 - page 4, line 21; page 18, line 20 - page 19, line 20; wagering data hub 102 (FIG. 1) TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
wherein at least another of the plurality of types of user interface systems is selected from the group consisting of an interactive voice response control system and	See, e.g., page 5, lines 4-25; page 6, lines 5-12; wagering data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user telephones 106 (FIG. 1).
a computer wagering control system, and wherein:	See, e.g., page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
means for using the interactive voice response control system comprises:	See, e.g., page 2, lines 2-10; page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user telephones 106 (FIG. 1).
means for receiving a	See, e.g., page 4, lines


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telephone call from an external source;	1-8; page 6, lines 5-12; page 12, lines 3-10; wagering data hub 102 (FIG. 1); user telephones 106 (FIG. 1); telephone line 144 (FIG. 1); set-top server (telco) 208 (FIG. 2); and IVR server 210 (FIG. 2).
means for providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account; and	See, e.g., page 14, lines 24 - page 15, line 2; page 12, lines 3-10; wagering data hub 102 (FIG. 1); user telephones 106 (FIG. 1); telephone line 144 (FIG. 1); set-top server (telco) 208 (FIG. 2); and IVR server 210 (FIG. 2).
means for receiving the wager information from the external source through the telephone call;	See, e.g., page 14, line 24 - page 15, line 2; page 12, lines 3-10; wagering data hub 102 (FIG. 1); and telephone line 144 (FIG. 1).
means for using the computer wagering control system comprises:	See, e.g., page 3, line 24 - page 4, line 21; page 12, lines 11-18; wagering data hub 102 (FIG. 1); and user computers 108 (FIG. 1).
means for providing the data relating to the single wagering account to an external computer; and	See, e.g., page 12, lines 11-18; page 13, line 28 - page 14, line 13; page 15, lines 3-11; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
means for receiving the wager information from the external computer through the Internet; and	See, e.g., page 12, lines 11-18; page 15, lines 3-11; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); user computers 108 (FIG. 1); modem bank 214 (FIG. 2); and communication link 146 (FIG. 1).

Claim 46	The Specification
means for using the television wagering control system comprises:	See, e.g., page 11, line 10 - page 12, line 2; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
means for providing the data relating to the single wagering account to a television distribution system; and	See, e.g., page 11, line 10 - page 12, line 2; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and communication links 132 and 134 (FIG. 1).
means for receiving the wagering information from a television wagering terminal.	See, e.g., page 11, line 10 - page 12, line 2; page 18, lines 1-19; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and communication links 136, 138, and 142 (FIG. 1).

Appellants respectfully request that the above replacement section be replaced with the corresponding section submitted in the Appeal Brief filed on September 7, 2007.

Early and favorable consideration is respectfully requested.

Respectfully submitted,



James A. Leiz
Registration No. 46,109
Attorney for Appellants
Ropes & Gray LLP
Customer No. 1473
1211 Avenue of the Americas
New York, NY 10036-8704
Tel.: (212) 596-9000
Fax : (212) 596-9090